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June 1, 2020

Honorable I. Leo Glasser
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: O’Hara v. City of New York, et al.
17-cv-4766 (ILG) (SMG)**

Dear Judge Glasser:

My office is co-counsel for the Plaintiff, John O’Hara, in the above-referenced action. With the consent of all parties, I am writing to request a two-week extension of time to file papers in opposition to Defendants’ three memoranda of law pertaining to *McDonough v. Smith*, 139 S.Ct. 2149 (2019), and the fabrication of evidence claims.

Your Honor had previously granted Plaintiff’s motion to reargue the dismissal of his fabrication of evidence claims, and directed the parties to brief issues pertaining to *McDonough*’s impact on the fabrication of evidence claims, as well as the merits of the claims. *See* DE 99. Defendants filed their memoranda on May 14, 2020. *See* DE 102, 104, 105. Pursuant to the agreed-upon and So-Ordered briefing schedule, Plaintiff currently has until this Thursday, June 4, to submit oppositions papers, and Defendants have until June 18 to submit reply papers. *See* DE 101.

Unfortunately, my mother had been ill for approximately five weeks with COVID-19, which had set me back significantly in meeting various filing deadlines.

Accordingly, and on consent of all parties, I am requesting that Plaintiff’s time to submit opposition papers be extended by an additional two weeks, until June 18, 2020, and that Defendants’ time to submit reply papers be extended until July 2, 2020. This is Plaintiff’s first request for this relief.

Respectfully,



Mirel Fisch

CC: All counsel via ECF